

REMARKS

Claims 1-13, 15-33, and 35-58 are pending, with claims 1, 30, and 56 being independent. Claims 14 and 34 have been cancelled and claims 1-13, 15-18, 27-32, 35-46, and 55-58 have been amended. No new matter has been added.

Claim Rejections—Double Patenting

In the final Office Action dated July 1, 2008 ("Office Action"), claims 1-5, 12, 14, 16, 18-20, 22, 25, 28-36, 47-50, 53, and 56 were provisionally rejected as obvious over claims 1, 8-11, 12, 25, 27-32, 36, 37, 42, 47, 48, 63, and 64, of co-pending Application No. 10/747,696. Without conceding obviousness, applicants respectfully request that this provisional rejection be held in abeyance until the claims of both this application and those in Application No. 10/747,696 are otherwise held to be allowable.

Claim Rejections—35 U.S.C. § 102

In the Office Action, claims 1-13, 15-18, 28-33, 35-46, and 56-58 were rejected under 35 U.S.C. § 102(e) based on U.S. Patent No. 7,275,215 ("Werndorfer"). Applicants respectfully request reconsideration and withdrawal of this rejection because Werndorfer does not describe or suggest the following features of amended independent claim 1:

registering a textual identifier with an online service provider to enable instant messaging communications sessions involving the single textual identifier;

projecting a first of the manifestations of the textual identifier to a first of the other users; and

concurrently projecting a second of the manifestations of the textual identifier to a second of the other users,

wherein the manifestations comprise at least one of a displayable user icon, avatar, and graphical representation.

Werndorfer discloses an IM client for categorizing two or more instant messaging contact names into a single meta contact. *See* Werndorfer, Abstract. The two or more instant messaging names represent the same individual on two different instant messaging services. *See*

Werndorfer, col. 4, lines 59-62. The IM client selects one of the two or more instant messaging names to be used based on a prioritization scheme that is informed by the order in which the instant messaging names appear under the meta contact heading. *See* Werndorfer, col. 5, lines 45-47. Once one of the two or more instant messaging names is selected, an instant message is transmitted to the individual. *See* Werndorfer, Abstract. To transmit the instant message through the “different, normally incompatible, IM services,” Werndorfer specifies that “IM service interface modules 204, 206, 208 provide service-specific features and communicate with the respective IM services 100, 108, 210 using the IM protocol required by that service.” Werndorfer, col. 3, lines 47-54.

Werndorfer differs from amended independent claim 1 for at least two reasons. First, Werndorfer does not describe or suggest sending a manifestation to another user, but merely discloses sending an instant message to another user. Here, a manifestation comprises at least one of a displayable user icon, avatar, and graphical representation, and, thus, cannot be construed to include just a user name and/or status. Therefore, Werndorfer does not describe or suggest projecting a first of the manifestations of the textual identifier to a first of the other users, nor does it describe or suggest concurrently projecting a second of the manifestations of the textual identifier to a second of the other users, as required by independent claim 1.

Second, Werndorfer explicitly discloses that the IM client operates to provide “service-specific features and communicate with the respective IM services 100, 108, 210 using the IM protocol required by that service.” *See* Werndorfer, col. 3, lines 52-54. In reference to FIG. 3, the Office Action argues that a “user has multiple contacts it can contact and can thus simultaneously communicate with more than one user; also first persona and second persona could both be displayed where one is active and the other inactive.” *See* Office Action, pp. 3-4. As best understood, the Office Action is equating the first and second manifestations, required by independent claim 1, to the screen names of a single user under different accounts with different IM services, as taught by Werndorfer. *See*, for example, contact names 601 and 602 of Fig. 7, which represent “the same individual on two different services.” Werndorfer, col. 4, lines 59-62. As such, Werndorfer discloses that for any one of the noted services (e.g. AOL, Yahoo!, or ICQ) a user will have a single contact name listed for communication through the GUI. By contrast, amended independent claim 1 specifically requires registering a textual identifier within an

online service provider from which an instant messaging communications session is conducted. Here, the difference is between multiple IM services, as taught by Werndorfer, and an online service, as required by independent claim 1. As indicated, each of these two points of distinction render the claim patentable over Werndorfer.

Independent claims 30 and 56 both recite the feature of:

rendering, on an instant messaging recipient system, an instant messaging application user interface for an online service provider instant messaging communications session involving at least two potential instant messaging recipients and a single potential instant messaging sender; and

registering a textual identifier with the online service provider to represent the single potential communications sender.

Therefore, for at least the reasons described above in connection with independent claim 1, the rejection of independent claims 30 and 56 should be withdrawn.

Dependent claims 2-13, 15-18, 28, 29, 31-33, 35-46, 57, and 58 all ultimately depend on independent claims 1, 30, and 56. Therefore, the rejection of these dependent claims should be withdrawn for at least the reasons described above in connection with independent claims 1, 30, and 56.

Accordingly, applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-13, 15-18, 28-33, 35-46, and 56-58.

Claim Rejections—35 U.S.C. § 103

In the Office Action, claims 19-27 and 47-55 stand rejected under section 103 based on Werndorfer. Claims 19-27 and 47-55 depend upon independent claims 1 and 30. As discussed above, Werndorfer fails to disclose or suggest each and every feature of independent claims 1 and 30. The obviousness argument asserted by the Office Action, which was applied to certain features of dependent claims 19-27 and 47-55, fails to cure the deficiencies of Werndorfer with respect to independent claims 1 and 30. Withdrawal of the section 103 rejection and the timely allowance of dependent claims 19-27 and 47-55 is therefore requested.

Conclusion

It is requested that the Examiner reconsider the application in view of the remarks and timely allow pending claims 1-13, 15-33, and 35-58.

It is believed that all pending issues in the outstanding Office Action have been addressed by this paper. The Office Action, however, contains a number of statements reflecting characterizations of the related art and the claims. Whether or not any such statement is identified herein does not constitute an automatic subscription to any statement or characterization in the Office Action. In addition, there may be reasons for patentability of any or all pending or other claims that have not been expressed above.

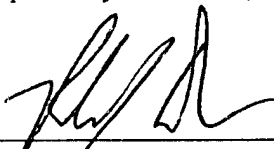
If there are any questions regarding this paper or the application generally, a telephone call to the undersigned would be appreciated since this may expedite prosecution of the application.

Applicants hereby petition that the period for response to the Office Action be extended for one (1) month. The Petition for Extension of Time fee (\$130) and the RCE fee (\$810) are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please grant any additional extensions of time required to enter this paper and apply any other required charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _____

11/3/08



W. Karl Renner
Reg. No. 41265

Customer No. 26171
Fish & Richardson P.C.
1425 K Street, N.W. - 11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (877) 769-7945

ROBERTO J. DEVOTO
REG. NO. 55,108
ON BEHALF OF